

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 2915 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

RITA GUPTA

Versus

ANIL GUPTA

Appearance:

MR RC JANI for Petitioner
NOTICE UNSERVED for Respondent No. 1
MR HH PATEL APP for Respondent No. 2

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 11/02/2000

ORAL JUDGEMENT

#. Heard the learned counsel for the petitioner. The petitioner has prayed for quashing and setting aside the process issued in Criminal Case No. 5561/88 and also for

quashing and setting aside the original complaint filed by the complainant who happens to be her husband. The original complainant- respondent herein has alleged in the complaint and in his statement that on 13.9.88 his wife i.e. the petitioner herein had dashed him with legs and tried to close the bathroom wherein he was shaving. It is also alleged that she also attempted to hurt him with scissors and caused some permanent injuries. On the basis of such complaint and statement, the complaint has been registered and bailable warrant for the sum of Rs. 1950/= has been ordered to be issued against the wife petitioner herein who has filed the present petition. Learned advocate for the petitioner-wife has fairly stated that he has got no instructions from the petitioner and no information is received despite his inquiries about the present state of affairs between the erstwhile matrimonial partners.

#. In the facts and circumstances of the case, no reason is made out to interfere with the process of the trial court being carried out to its logical conclusion. The present petition is therefore rejected and interim relief granted earlier stands vacated.

pirzada/-